

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

UNITED STATES,

Plaintiff,

v.

MARK GARLAND AND
RICHARD JEFFERSON,

Defendants.

Criminal Action No.
91-266 (HLS)
(PGS)

ORDER

IT APPEARING THAT:

1. On or about May 2, 2008, Defendant, RICHARD S. JEFFERSON, a pro se litigant currently confined at Federal Correctional Institution Beckley, Beaver, West Virginia, a person convicted on criminal charges on or about September 9, 1992, submitted a civil petition, styled as a Rule 60(b) motion, challenging the execution of his criminal sentences. See Docket Entries Nos. 1, 5.
2. The Clerk's Office erroneously docketed this civil challenge as a motion in Jefferson's closed criminal matter.

IT IS on this 23 day of January, 2009,

ORDERED that the Clerk shall open a **new and distinct civil** matter for Jefferson in order to enable the Court to entertain Jefferson's civil challenges; and it is further

ORDERED that the Clerk shall designate the "nature of the

suit" of this newly open matter as "530 series (a habeas corpus - general application by a pro se prisoner)" since this new matter is to address a 28 U.S.C. § 2241 application; and it is further

ORDERED that the Clerk shall designate Jefferson as Petitioner in that newly open matter (hereinafter "Petitioner"), and the United States Attorney and Warden of F.C.I. Beckley as Respondents in that newly open matter; and it is further

ORDERED that the Clerk shall docket, in that newly open matter, the following documents docketed in the instant action: Docket Entry No. 2 (the Clerk shall designate it as "Original Petition" in the newly open matter), Docket Entry No. 3 (designating it as "Answer"), Docket Entry No. 4 (designating it as "Order"), Docket Entry No. 5 (designating it as a "Petitioner's Motion for Reconsideration and Supplemental Petition") and the instant Order; and it is further

ORDERED that the Clerk shall assign that newly open matter to the undersigned; and it is further

ORDERED that the Clerk shall serve a copy of this Order upon Respondents' Counsel, namely, Acting United States Attorney Ralph J. Marra, Jr., and David E. Malagold, Assistant United States Attorney, at Newark U.S. Attorney's Office, 970 Broad Street, Newark, New Jersey 07102; and it is further

ORDERED that the Clerk shall serve copies of this Order and the docket sheet of the newly open matter upon Petitioner by

regular U.S. mail; and it is finally

ORDERED that, upon docketing the instant Order in this action, the Clerk shall make no further filings in this matter.

A handwritten signature in dark ink, appearing to read "Peter G. Sheridan", is written above a horizontal line.

Peter G. Sheridan
United States District Judge